

## **MEETING #23 June 9**

At a Regular Meeting of the Madison County Board of Supervisors on June 9, 2009 at 3:00 p.m. in the Madison County Fire hall:

PRESENT: Eddie Dean, Chairman  
James L. Arrington, Vice-Chairman  
William L. Crigler, Member  
Bob Miller, Member  
Clark Powers, Member  
V. R. Shackelford, III, County Attorney  
Lisa A. Robertson, County Administrator  
Jacqueline S. Frye, Secretary

Chairman, Eddie Dean called the meeting to order and announced that all members are present; therefore a quorum was established.

Chairman, Eddie Dean thanked the Madison County Volunteer Fire Company for the use of their building today as the Auditorium is being utilized for the Democratic Primary.

### **IN RE: VIRGINIA DEPARTMENT OF TRANSPORTATION**

Donald Gore, Resident Engineer, was present and provided the following report: the contract for improvements to Route 642 has been finalized and the contractor should begin work within the next few weeks – property owners are being notified at the present time; also stated pavement has been done on Route 239 to Route 634 and paving is being done today on Route 29 (bypass); surface treatment will not begin until after July 1<sup>st</sup>; also assisted Greene County with traffic control during the unfortunate accident which involved a Deputy; mowing has been done on primary roadways and secondary roadways are now being mowed; repairs have been made because of minor storm damage; also provided an update on the speed zone at Route 616 to Route 621 (2.2 mi.) to 45 mph; also advised there were several dead animals on the roadways and they have been removed; also had two (2) speed limit reduction requests which are being addressed (i.e. Route 230 from Route 29 (45 mph) toward Route 687 and the intersection @ Route 231 – this area will be decreased from to 45 mph beginning from Route 29 through its entirety.

Donald Gore advised about replacing the deck on the bridge @ Route 621

(Jacks Shop Road) – will be needed to close the roadway for about two to three weeks between the present and prior to the opening of school in August 2009 (latter part of July and first part of August 2009) to implement the renovations; also provided an update on land development issues and stated that one (1) utility permit has been processed; there has been one (1) inspection on a subdivision street; have inspected entrances and issued permits for twelve (12) and have inspected five (5) utility permits.

In closing, Donald Gore advised the Public Hearing on the Six-Year Road Improvement Plan for Madison County will be this evening @ 7:30 p.m.

James L. Arrington asked whether it was necessary to have a Public Hearing since there was insufficient funding to approve any additional construction, to which Donald Gore stated the meeting is in accordance with Virginia State code requirements.

Donald Gore stated that several Public Hearings have been very short thus far – he feels tonight’s session will be uneventful.

V. R. Shackelford, III, County Attorney, inquired about the secondary street acceptance requirement; the wording contained in the document doesn’t coincide with the contents of the Comprehensive Plan or the Subdivision Ordinance for Madison County (i.e. urban development areas classified as “smooth urban areas”, urban cluster areas and “smooth cluster areas”); he is concerned as to how Madison County can comply with the requirements noted.

Donald Gore stated that he has attended a meeting and believes the requirements pertain to extremely urban areas and may be noted in relation to the Route 29 Corridor Study; however, he stated he will check on this and report back.

#### **IN RE: PAYROLL & CLAIMS**

Chairman, Eddie Dean asked if there were any concerns about the Certificate of claims for the Capital Fund totaling \$226,266.10 for May 2009 – the major portion of these payments was utilized for construction at the Madison County Courthouse.

After discussion, on motion of William L. Crigler, seconded by Bob Miller, the warrants issued for certificate of claims for the Capital Fund (Checks #10130803-0804; #10130864-0865; and #10130966 – 0968) for May 2009, totaling \$226,266.10, are hereby approved, with the following vote recorded:

Eddie Dean

Aye

James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of James L. Arrington, seconded by William L. Crigler, the warrants issued in satisfaction of claims against the County for May 2009 (Checks #10130763 – 0802; 0805-0863; 0866-0965; 0969-0997) totaling \$692,400.45 are hereby approved, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Chairman, Eddie Dean advised the Board will need to approve Supplements for June 2009:

**General Fund:**

1. Park & Recreation	#71100-5690	Youth Sports Deposits	\$ 7,088.00
Revenue Appropriation	10-161201	Recreation	
2. Park & Recreation	#71100-5691	Health Fitness Deposits	\$ 5,765.07
Revenue Approp.	#10-161201	Recreation	
3. Sheriff- law enf.	#31200-1730	Hwy. Safety – DMV Grant	\$ 2,574.00
Revenue Approp.	#10-240111	DMV Grant	
4. Water Quality Mgmt. Prg.	#82200-580	Grant Expenditures	\$17,500.00
Revenue Approp.	#10-499999	Accumulated Fund Balance	
5. Juvenile Probation	#33300-591	Crime Prevention Grant – Match	\$ 305.00
Revenue Approp.	#10-499999	Accumulated Fund Balance	

**TOTAL: \$33,232.07**

Chairman, Eddie Dean asked if departments were remaining within their allotted budgets, to which Teresa Miller, Finance Director, advised they were; she also advised there may be a few supplements that will need to be approved in July 2009 because of some grants that are outstanding.

After discussion, on motion of James L. Arrington, seconded by William L.

Crigler, the supplemental appropriations for the general fund in the amount of \$33,232.07 are approved as presented, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

#### **IN RE: MADISON SCHOOLS**

Dr. Brenda Tanner, Superintendent, was present and stated today was the final school day for the year – graduation is scheduled for Saturday, June 13, 2009 beginning @ 10:00 a.m. at the Wetsel Middle School gym; also provided an update of Monday night’s Board meeting during which time the Madison County High School received the Wachovia Cup for the 14<sup>th</sup> time (in the past 15 years) in the areas of forensics, drama, debate, newspaper, community and yearbook; also provided the names of the participants in the first annual “Teacher of the Year” award for Madison County (Cindy Pattie [Madison Primary School]; Amy Moorehead [Waverly Yowell Elementary School]; Richard Gaylord [Wetsel Middle School]; Amy Tucker [Madison County High School]) and added that Cindy Pattie – advised that Cindy Pattie has been selected to continue in the regional competition and if selected, will participate in the state competition and then onto the national competition; also recognized the retirees from the school system; also discussed bids for meal prices and getting things in order for the federal programs application that has to be submitted along with a consort ion agreement for migrant students; additionally, there are quite a few policies that are being changed as a result of initiative at a state level (with regard to codes) – all these changes will need to be reviewed and incorporated. Additionally, one change that is being proposed is that if a student misses ten or more consecutive days (unexcused absence) the individual might lose his/her privilege of driving.

In closing, Dr. Tanner stated she will forward information (onto the County Administrator) as it is received; will also be working with staff @ the Germanna Community College regarding the career/technology camp they have offered in the past during the summer for students who will be allowed to visit areas in the workforce – this program has been offered in the City of Fredericksburg and local students haven’t been

too interested in participating; however, there is an opportunity to have this program available at a closer site for students in Culpeper, Orange, Madison @ the Daniel Technology Center located in Culpeper, Virginia – the program targets 8<sup>th</sup> graders and students will attend several full-day camps (will visit Terremark, Culpeper Regional Hospital) and will participate in a career survey – will forward information on hours and details of the program as soon as it is received.

Lisa Robertson, County Administrator, advised the contracted at the Madison County Courthouse inquired as to whether the site can be one of the places the students could visit during the program.

Dr. Tanner stated that she hasn't been involved in the program planning, but has been advised that a career interest survey is given to all students – they will visit various sites and will have a presentation at the end of the camp to denote what facts they have learned.

William L. Crigler asked about the “Teacher of the Year” designation and what was expected of staff to compete.

Dr. Brenda explained the levels of involvement at each level and criteria involved (i.e. statement of philosophy; writing about an educational issue they believe is a national issue and provide a response; denote any special community service; and complete a portfolio) – finally, an interview is held if the applicant reaches the state competition – the process is very comprehensive. In closing, Dr. Tanner stated that she once served on the State Committee and believes that Madison County has capable teachers who should be included in the pool of candidates to compete for this recognition. Also, Mrs. Pattie was awarded \$500 to purchase materials and supplies for her home campus.

## **IN RE: COUNTY FACILITIES**

Ross Shifflett, Director of Facilities, was present and provided a written report; also advised that lighting struck the electronic system @ the weigh station – repairmen from Apple Valley Scales are on hand and will have to replace much of the system – claim will be written and submitted to the County's insurance company; hopes the system will be repaired and recalibrated by the end of today's business; also stated a

bill was received from Sonoco and it appears the County broke even on recyclables for the period as the bill had a zero balance.

William L. Crigler asked about the condition of the ball fields, to which Ross Shifflett, stated everything looks good – fall sports should take place as anticipated and on target for the youth football in the fall (age 12 and under).

Bob Miller asked about tractor tires, to which Ross Shifflett provided an update that Emmanuel Tire Company has elected not to discard tires from Madison County; it appears that most citizens turn in their old tires through the Madison Co-op; also stated that he spoke with Allan Morris in Greene County who disposes of their tires through Emmanuel Tire Company. In closing, he feels an agreement might be possible for Madison County to send old tires to Greene County for the same fee as unloading them locally and use the same carrier.

In closing, Ross Shifflett stated he conversed with staff at the County's bus shop for data and was informed they send old bus tires to a vendor in Harrisonburg, VA – feels the County might also be able to utilize the same company for tire disposal.

James L. Arrington asked about the animal population at the Madison County Animal, to which Ross Shifflett stated there were approximately (23) cats and (16) dogs @ the site at the end of May 2009.

Ross Shifflett also stated that June is recognized as "National Adopt-A-Cat Month" and the staff will happy to have citizens adopt a cat; he also stated that adoption efforts have gone very well with several rescue and adoption organizations.

William L. Crigler asked if a decision has been made regarding the recycling trailer, to which Ross Shifflett stated there have been thoughts of having the trailer situated in the vicinity of the Madison Farmer's Market on Saturdays, but under the supervision of an individual (i.e. hauling and return delivery) – discussing the possibility of this with Brad Jarvis; there appears to be much activity at the site on Saturdays and this appears to be a very logical site if it can be monitored.

In closing, Ross Shifflett, stated the recycling trailer only brings a very small percentage of recyclables; there have been many improvements at the Transfer Station to assist citizens with the disposal of recyclable items and it's much easier than what was

being done several years ago. Since the improvements have been implemented at the Transfer Station, the chore of depositing recycled items is much safer than in the past.

Chairman, Eddie Dean suggested if a press release is advertised to denote the recycling trailer will be situated at the Madison Farmer's Market on Saturdays, please also advise that recyclables are accepted during regular business hours at the Madison Transfer Station.

Ross Shifflett also stated the Transfer Station will be closed on Friday, July 3<sup>rd</sup> and Saturday, July 4<sup>th</sup> in recognition of Independence Day; however, the facility will be open the prior Wednesday, July 1<sup>st</sup>.

### **IN RE: SOCIAL SERVICES**

Nan Coppedge, Director of Social Services, was present and provided an overview of the various programs and application information; stated there continues to be an increase in food stamp (SNAP) applications and also for TANF assistance – some program offers assistance (stimulus funding) for the payment of utilities for low income families and many families have been utilizing this benefit to help supplement unemployment benefits.

In closing, Nan Coppedge advised funding for various benefits is provided from Richmond and doesn't effect her department's local budget, but does change the state's budget; however, she stated most individuals who receive special benefits are most appreciative of the assistance to help with their utilities – funding goes directly to the vendor(s) and not to the family.

Additionally, Nan Coppedge stated there will also be some stimulus housing funding available to help with housing rent/repair; a meeting was held last week which included several localities and all localities were asked if there was a desire to apply for these funds – it was determined a request would be forwarded to ask for \$500,000.00 for a five-County area; people are coming for assistance as they are unable to pay their utility bills, etc. She stated that Sam Aiken's office in Culpeper County will process the applications – it has also been suggested that either MESA or the Department of Social Services in Madison County assist with taking applications; also, there is a case management component that will follow up on verification; also spoke with

representatives from Skyline CAP and they were also interested in applying for the Counties of Greene, Madison and Orange.

William L. Crigler asked if the funding was a matching grant, to which Nan Coppedge advised the funds are outright stimulus funds, but a letter of support will be required from local governmental agencies; the Department of Social Services' fiscal year runs from June to May (annually) and the department has been able to help with services that otherwise wouldn't have been provided.

Nan Coppedge also provided an overview of the community conversation for aging together – there were discussions on intellectual growth and the government's role – panel was very good and there was good dialogue – very good turnout.

#### **IN RE: CHAMBER OF COMMERCE**

Chairman, Eddie Dean stated that Tracey Williams, Tourism Director, was absent today, but did provide a report for the notebooks.

#### **IN RE: E911 CENTER**

Robert Finks, E911 Coordinator, was present and stated the new edition of the Verizon telephone book has finally included all departmental offices for Madison County.

Robert Finks stated the grant process has been completed for the back-up dispatch with Orange County, Virginia; each locality can dispatch calls from respective locations – dispatchers from Orange came to Madison County during the past week to dispatch their calls (their center was shut down because of telephone updates) and the process went very smoothly; also reported that reverse E911 system is complete – database has been attained from Verizon and everything is loaded; test calls will be implemented during the week – there will also be a “do not call” list that citizens can elect to be included on. He also stated the emergency system works very well.

William L. Crigler asked if information will be included on the County's website, to which Lisa Robertson, County Administrator, stated the information is there and citizens are walked through the process – additionally, citizens have the option to opt out of the weather alert information, but if they want to be opted out of receiving any type



of telephone calls whatsoever, citizens must contact Robert Finks at the non-emergency telephone number.

Robert Finks stated if a citizen has a non-published telephone number, they will still receive the emergency telephone calls but no information on weather alerts – if these individuals want to be advised of inclement weather, they will need to register on the County's website; he also stated the Verizon database lists over 7,000 telephone numbers for Madison County, Virginia

Chairman, Eddie Dean asked if there have been any telephone calls made on the reverse 911 system, to which Robert Finks advised there have been none to date – test calls will be initiated tomorrow.

Robert Finks stated the reverse 911 system is designed to allow emergency services personnel to choose any area in the County to be contacted (within a certain mile radius) of any emergency messages (i.e. overturned vehicle carrying fuel) – also, the weather alert targets areas in which the storm will effect in the event of an emergency situation.

#### **IN RE: LAW ENFORCEMENT & COURT SECURITY**

Robert Finks, E911 Coordinator, advised that Erik Weaver, Sheriff, and Randy Jenkins, Deputy, were away at a meeting; the following report for May 2009:

1. Calls for service: 1,131
2. Criminal arrests: 97
3. Civil process: 347
4. Days of Court: 13
5. Traffic related summons: 318
6. Court security fees to Treasurer: \$3,716.00
7. Local fines paid to Treasurer: \$11,562.00

## **IN RE: EMERGENCY PREPAREDNESS**

Carl Pumphrey, Emergency Services Coordinator, was present and provided a written report for May 2009: currently working on updates for hazard mitigation for PD9 – was last updated in 2004 and updates and rewrite will be implemented later during the year for adoption in 2010; working with various localities, along with building & zoning to compile the information; has also been working with emergency providers on a number on incidents and establishing how potential emergencies will be handled – ideas are being adopted by the group as a whole as well as standard operational guidelines; stated there were a few issues during the past month (i.e. search/rescue) that have called for all emergency providers to participate together and with outside agencies with the Department of Emergency Management and search teams from various parts of Virginia; also provided assistance when several charter buses were involved in an accident on Route 29 and three (3) motor vehicle accidents; also provided an overview regarding NIMS (National Incident Management System) compliance – currently at 99% completion.

William L. Crigler asked about the pet companion trailer and if there were any specifics received.

Carl Pumphrey stated that all concerns have been forwarded to the appropriate personnel; however, nothing has been received, but he anticipates a response shortly; also stated he attended the update on the Bike, VA event and it was indicated there would be a change in their original route in Madison County, Virginia.

## **IN RE: EMS CAREER**

Lewis Jenkins, Director, was present and provided the following report for May 2009:

Total calls toned: 109

Total calls handled: 98

Total calls, no response: 11 [(8) Greene and (3) Orange calls for mutual aid assistance were not answered)]

Avg. in-County response time to the scene: 10 minutes

Night coverage: (11) hours of night coverage on (16) nights

Total calls handled: 24

Lewis Jenkins also reported that Fred Payne has resigned; hired Matthew Freil for the open p/t position; also advised that Jake Benner will be leaving to attend Medical School @ Virginia Tech – will remain as part-time with the hope that he'll be returning to the area during school breaks; also advised that Andy Anderson was promoted to fill Jake's position – will start the process of hiring someone to fill the newly vacated full-time medic position soon.

#### **IN RE: MADISON VOLUNTEER RESCUE SQUAD**

William L. Crigler read the following report provided by the Madison Volunteer Rescue Squad for the month of May 2009:

##### **Medical emergencies:**

- 25 Transports
- 1 No treatment required
- 6 Refusals
- 1 dead @ scene
- 1 treated & released
- 1 treated, transferred care
- 1 first responder (Reva transported)

##### **MVC:**

- 1 Transport (motor bike)
- 2 refusals
- 1 No patient found
- 1 No treatment required
- 1 transport (back-up call for day shift)

##### **Injury not listed (falls):**

- 8 Transports
- 1 Refusal

##### **Mutual Aid:**

- 1 no response
- 1 Greene (MVA transport )

##### **Public Service (Falls):**

- 3 No treatment required
- 1 Treated & released

Standby (fire):

- 2 No treatment required
- 1 Search & rescue
- 5 No call sheets

Total calls for the month of May 2009: 60

James L. Arrington asked what hours do the volunteers answer calls, to which Lewis Jenkins advised is from 6:00 p.m. to 5:00 a.m. with paid EMS supplemental coverage (medic) during the night for three (3) days out of five (5).

Lewis Jenkins also stated the volunteers have five (5) crews – two (2) of those crews have ALS and three (3) do not; therefore paid EMS supplements coverage at night only.

#### **IN RE: ZONING FEES & BUILDING PERMITS**

Lisa Robertson, County Administrator, stated the building permits are still slow with regard to housing and additions; plan reviews are actually up just a little from last year – the office is busy but there is no residential development/remodeling as was evident in prior years.

Lisa Robertson, County Administrator, stated the zoning fees were very low during the past month; the number of zoning permits remained fairly steady (\$1,700.00) but other than making copies of ordinances and plans, there were no subdivision, zoning, site plans or BZA applications/appeals during the month of May 2009.

James L. Arrington questioned how this reduction might affect the revenue projections, to which Lisa Robertson, County Administrator, the revenue that is brought in for these departments is not a major source of the County's revenue - these fees are reported as general numbers to reflect a gauge of development activity.

#### **IN RE: MADISON TREASURER**

Chairman, Eddie Dean stated that the Treasurer will not be present today but a report from her department is included for today's session.

#### **IN RE: JULY 2009 JOINT MEETING**

Chairman, Eddie Dean stated there will be no Agenda for the Joint Meeting of the Madison County Planning Commission and the Madison County Board of Supervisors

for the month of July 2009 as there are no applications to be considered; therefore, he feels there is no reason for the Madison County Board of Supervisors to meet.

V. R. Shackelford, III, County Attorney, stated he believes the Madison County Planning Commission will be having a presentation, to which Lisa Robertson, County Administrator, stated will take place at their Workshop session.

Lisa Robertson, County Administrator, advised that although the Madison County Planning Commission might find something for their group to discuss on Wednesday, July 1, 2009, there are no Public Hearings or any applications that would require the Madison County Board of Supervisors to hold a Joint Meeting with the commission.

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the Madison County Board of Supervisors voted to cancel their Joint Meeting session scheduled for Wednesday, July 1, 2009, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

#### **IN RE: PUBLIC COMMENT**

Chairman, Eddie Dean opened the floor for public comment and there was none.

Chairman, Eddie Dean stated the Board will need to schedule a Public Hearing to amend the County budget to show the results of state/federal stimulus money being awarded to the Madison County School System – the funds being awarded are over \$340,000.00 which will require a Public Hearing; this must take place in order for the school system to utilize the funds in their budget.

V. R. Shackelford, III, County Attorney, stated he feels the Public Hearing notice will only need to be publicized once – he asked when the Board was thinking of advertising.

Chairman, Eddie Dean suggested Monday, June 29, 2009 during a Workshop Session; budget adjustments can also be incorporated at the same time (which right at the end of the fiscal year).

James L. Arrington asked how the funds being awarded will be included.

Dr. Tanner stated there are three (3) different types of stimulus funds (i.e. allocated by formula method; Title I; Special Education (IDEA) – also advised the school system must have authority from the local governing Board to allow these funds to be utilized (Title I and Special Educational funds are earmarked for these specific categories only); federal funding coming from the State of Virginia might only be available for one year and is attained through an application process.

V. R. Shackelford, III, County Attorney, stated he will move forward with attaining the information and get all necessary documentation together prior to publication of the notice.

The Board also discussed cancelling the scheduled Board Workshop Session on Thursday, June 25, 2009 at 2:00 p.m. but will instead schedule a night meeting on Monday, June 29, 2009 beginning at 7:30 p.m.

After discussion, on motion of James L. Arrington, seconded by Bob Miller, the Board voted to cancel the regularly scheduled Board Workshop Session on Thursday, June 25, 2009 @ 2:00 p.m. and scheduled a Public Hearing to act on the federal stimulus funding that will be awarded to the Madison County School System, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Lisa Robertson, County Administrator, advised the evening session of the July Regular Meeting Parade is scheduled the same day as the County's annual parade; therefore, instruction is needed as to whether the Board would like to cancel the meeting, only have the afternoon session and cancel the evening session, or whether to meet regardless. She stated the parade begins @ 6:30 p.m.

Chairman, Eddie Dean suggested the Board cancel the 7:30 p.m. session

Lisa Robertson, County Administrator, stated the County will also need to schedule a Public Hearing to act on the transfer of property to the Central Virginia Regional Jail Authority, but this meeting can be scheduled during the afternoon session.

V. R. Shackelford, III, County Attorney, asked when the Board would like to schedule the meeting, to which Chairman, Eddie Dean suggested the meeting be done following the Public Hearing to act on the stimulus funding for the school.

V. R. Shackelford, III, County Attorney, stated he feels this publication is only required to run for one (1) week as it is for the disposition of real property.

James L. Arrington asked if the Board will need to begin the July Regular Meeting a little earlier in order to cover all business.

Lisa Robertson, County Administrator, suggested the Public Hearing on the Central Virginia Regional Jail be conducted at 4:00 p.m., to which V. R. Shackelford, III, County Attorney, suggested the Public Hearing also be scheduled for Monday, June 29, 2009 immediately following the Public Hearing on the stimulus funding which will probably be at about 7:45 p.m.

After discussion, on motion of James L. Arrington, seconded by William L. Crigler, the Board voted to cancel the Board Workshop Session scheduled for Thursday, June 25, 2009 at 2:00 p.m. and also voted to schedule a Public Hearing to take action on the Budget Amendment (to accept stimulus funds to be disbursed to the Madison County School System) on Monday, June 29, 2009 at 7:30 p.m. in the Madison County Administrative Center Auditorium and to conduct an additional Public Hearing to approve the Transfer of Jail Property on Monday, June 29, 2009 beginning at about 7:45 p.m. (or shortly thereafter), with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of James L. Arrington, seconded by Bob Miller, the Board voted to cancel the evening session of the July Regular Meeting at 7:30 p.m. and will advertise the meeting session to begin at 3:00 p.m. and end at 6:00 p.m., with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye

Clark Powers

Aye

**IN RE: PERSONNEL REGULATIONS (UPDATE)**

Chairman, Eddie Dean stated the Board will need to take action on the Proposed Personnel Regulations for Madison County, Virginia.

Lisa Robertson, County Administrator, stated she and the Department Heads have been reviewing the proposed personnel regulations for several months and have reviewed a few versions; some updated provisions include the grievance procedure, employee evaluation policy (adopted last year) and these evaluations have been implemented for the second year; also updated family/medical leave provisions; narrative in the regulations were also update as was the policy on military leave and the policy on the amount of leave that can be carried over from one year to the next. Additionally, a proposal is being drafted to develop an extended leave pool and stock said pool with the leave that will drop off of employee's accounts if the aforementioned regulations are passed. She also stated the updated regulations have some provisions regarding ethics and conflicts of interest; an updated disciplinary procedure has been established and a policy on alcohol usage that is consistent with state/federal guidelines.

Lisa Robertson, County Administrator, stated that regulations haven't been updated in about ten (10) years so the process was long overdue. In closing, she anticipated that each Board member had an opportunity to read through the document and that everything was appropriate and in order.

James L. Arrington stated the previous personnel policy (in re: to hiring/selection process) the Board of Supervisors had a greater role that what is being projected under the new policy with regard to hiring/disposition of Department Heads; he advised he isn't comfortable with delegating all the responsibility and feels the Board should retain the responsibility for the hiring/selection of Department Heads; he also questioned there being an absence of any policy provisions for equal employment opportunities or diversity in the County's workforce.

Lisa Robertson, County Administrator, stated the equal employment opportunity statement is the first article in Section III – she stated the procedures for appointments/selections has been standardized so they will be fairly and uniformly applied; one of the recommendations the Board received from a consultant a few years



ago was to specifically transition the hiring practices away from “Board member” participation further down the chain of command as it is deemed much easier to be consistent and apply a consistent policy in the regulations through day-to-day administration than to try and have Board members participate in each/every decision. However, the manner in which the Board influences the decision(s) is through the statements/procedures that are approved by the Board.

James L. Arrington further stated he feels the responsibility of hiring/termination of County employees should stop with the Board; delegating the entire responsibility away from the Board just doesn’t appear to be consistent; he also feels the Board should be involved in the interview process and the selection process of Department Heads – he feels the public expects the Board to exert more influence in this process, which is currently not taking place. Additionally, he commented on the personnel change that took place at the Animal Shelter that he wasn’t aware of and he received a multitude of calls from citizens. He also feels that Constitutional Officers can either opt in or opt out of the County’s personnel policy plan. Additionally, he suggested the Board not approve the proposed plan today and take a closer look at what is being proposed

Chairman, Eddie Dean stated he feels the EEO vein has been effectively covered in the proposed document.

James L. Arrington commented on the statement contained in the policy, to which Lisa Robertson, County Administrator, asked if it was being suggested that an affirmative action plan be incorporated.

James L. Arrington stated there are some Departments in which there are no minority employees and he is very concerned about that, to which Chairman, Eddie Dean asked if this concerns County Departments or Constitutional Offices.

James L. Arrington advised his comment applies to both.

Chairman, Eddie Dean advised the Madison County Board of Supervisors had no influence over the Constitutional Offices.

James L. Arrington feels the Constitutional Offices can either opt in or opt out of the proposed policy, to which Lisa Robertson, County Administrator, stated is the general rule – this cannot be changed; if the Constitutional Officers don’t have to

participate in the County's personnel system at all if they so desire; they adhere to their own set of legal obligations in the hiring process and the County cannot force them to participate.

Additionally, Chairman, Eddie Dean stated that after each election, the options are open once again to the Constitutional Offices and the new (or returning) elected personnel.

James L. Arrington strongly feels the Board needs to take more responsibility in the hiring/selection of County Department Head personnel.

Chairman, Eddie Dean asked if recommendations should be sought from Lisa Robertson, County Administrator, that requires sanctions on behalf of the Madison County Board of Supervisors and/or involvement in the interview process.

Lisa Robertson, County Administrator, advised the manner in which the personnel policy is written with regard to filling funded vacant positions and is established to pertain to individuals hired below the Department Head level; additionally, she feels one reasonable way to perceive the contents is that rather than to continue postpone adopting tonight's document further, would be to come up with a separate policy statement that pertains to how the Board would like the Department Head selection process to be performed – she feels it's fair to say the Madison County Board of Supervisors should have input in the appointment of Department Heads, but please note the individuals at the Department Head level along with the County Administrator, do not have the option of utilizing the grievance procedures; therefore, a large part of the personnel regulations are applied to "hire/fire" individuals below the Department Head level. In closing, if the Board would like to come up with a separate document (Board policy) to govern how Department Heads are hired/ fired, could be implemented although it is perceived as a separate set of regulations.

James L. Arrington suggested the Department Heads should be excluded from the regulations, to which Lisa Robertson, County Administrator, advised the Department Heads need to be excluded from the general regulations as these rules should apply to everyone; however, the concerns have been about the Boards' participation in the selection/hiring of Department Heads, thus it would be fair to have a special

procedure in place as to how this process is carried out which differs from how other County employees are selected/hired.

James L. Arrington expressed his concerns regarding the removal process for Department Heads (“at will employees”), to which Lisa Robertson, County Administrator, stated these positions already are.

James L. Arrington also advised that he feels Department Heads should be able to be removed for reasons the Board might feel appropriate, to which Lisa Robertson, County Administrator, advised would need to be discussed with V. R. Shackelford, III, County Attorney, as to whether a Department Head can be fired for “whatsoever reason” – therefore, the County Administrator and the Department Heads aren’t covered by the grievance policy.

Chairman, Eddie Dean stated he was unsure whether the policy states anything specific regarding the hiring of Department Heads, to which Lisa Robertson, County Administrator, stated there is nothing specific about the selection/interview of Department Heads – these positions should follow a standardized fair advertised process; applications should be received, evaluated, screened and then a group should make a decision as to who will receive an interview and a final selection will be made.

Additionally, Lisa Robertson, County Administrator, feels there still has to be an order to the process, fairness and consistency in the process as opposed to a process that just determines case-by-case when the need arises – this isn’t good business practice/policy for the Madison County Board of Supervisors or Madison County in general.

Lisa Robertson, County Administrator, also feels the procedures contained in tonight’s document (i.e. funding position, advertising, promotional procedure) would and should apply to the selection of a Department Head; however, if the Board would like a special provision included, (whether in the interview or selection process) but feels the final selection process should follow the general procedures that are already incorporated into the policy.

James L. Arrington requested a copy of the current policy/procedures in order to make a comparison, to which Lisa Robertson, County Administrator, advised

one of the problems with the existing regulations is that the document didn't include provisions/guidelines regarding the hiring process (copy in hand for review).

Chairman, Eddie Dean commended on "Department Head" being mentioned in the entire first section of the document (section 3.2 on) denotes that Department Heads will 'fully hire.'

Lisa Robertson, County Administrator, stated in the event a Department Head retired, the County Administrator would probably be the "Department Head" to determine that a vacancy existed and it needed to be filled; however, the final selection process is anticipated to be that of the County Administrator and the Madison County Board of Supervisors wouldn't have input; however, the personnel policy is set up to primarily deal with the hiring of positions below the Department Head level in terms of making the final decision process. Additionally, she feels the front end of the process (setting up the process of recruitment/hiring) should be the same, but the Board can have whatever final decision making process deemed appropriate for making a final decision for a Department Head.

James L. Arrington questioned whether the Board had to finalize the personnel policy today, to which Lisa Robertson, County Administrator, advised the policy has been a work in process for close to a year – it has been forwarded to the Board with ample time to review the document; therefore, it was anticipated the Board would be able to move forward; however, the document isn't a major departure from the regulations already in place although the insertion of some reasonable procedures to protect the fairness of the hiring process was one of the key features that needed to be incorporated into the County's personnel policy, as it wasn't present in the County's existing regulations.

In closing, Lisa Robertson, County Administrator, stated that if fairness, consistency and equal opportunity is what the Madison County Board of Supervisors is looking for, the Board will need to move forward with this document – regulations haven't been updated in over a decade.

Chairman, Eddie Dean suggested the Board can always adopt tonight's document and incorporate a clause to state the Board reserves the right to add content regarding the hiring of Department Heads.

James L. Arrington suggested the process regarding the Department Heads be excluded and then he will have no problem adopted tonight's document being presented.

Lisa Robertson, County Administrator, stated by including the aforementioned request, problems will be created with the terminology incorporated into the document; she feels the easiest thing to do is to reserve the Board the right to participate in the hiring decisions for Department Heads; this would close a gap that isn't specifically addressed in tonight's document.

V. R. Shackelford, III, County Attorney, also expressed concerns regarding whether Department Heads are exempt employees with regard to overtime, etc.; he also feels the document implies they are not (Section 4-10), to which Lisa Robertson, County Administrator, stated they are exempt from overtime.

Lisa Robertson, County Administrator, stated she believes tonight's document implies that she (as the County Administrator) will go through and by job description analysis, and will determine who is/is not exempt.

Lisa Robertson, County Administrator read the contents of Section 4-9 (regarding exempt/non-exempt) – she will determine the exemptions in working on a case-by-case basis; however, at the present time, all Department Heads have been classified from FLSA overtime requirements.

V. R. Shackelford, III, County Attorney, asked about "Deputy Department Heads" and whether this position is applicable to County Departments, to which Lisa Robertson, County Administrator, stated these positions do not apply to every County Department.

V. R. Shackelford, III, County Attorney, asked if a Deputy Department Head is classified as an "exempt employee" to which Lisa Robertson, County Administrator, advised that if an individual is categorized as a "Deputy" a "Deputy" is an individual who is capable of acting for the individual in charge of the Department in the event they aren't capable of performing their duties (i.e. Deputy Zoning Administrator) and administering the same provisions.

V. R. Shackelford, III, County Attorney, asked what would be the case in the event a Department Head was called upon to work additional overtime hours and the

individual isn't available; therefore, in the event the Deputy works the overtime and is that individual entitled to overtime pay, to which Lisa Robertson, County Administrator, stated it will depend on whether the Deputy is an "exempt employee" or not – this classification will need to be made on a case-by-case need based on normal duties.

Chairman, Eddie Dean asked if there are specific requirements regarding whether an employee is included under the federal labor standards, to which Lisa Robertson, County Administrator, replied "yes" – however, this determination isn't always easy as one can't say a Deputy or Department Head is "always exempt" – one has to look at the duties that are actually being performed.

Chairman, Eddie Dean asked if the determination is mainly based on how much time has been utilized administratively, etc., to which Lisa Robertson, County Administrator, stated there are several categories (i.e 3) and may also contain an educational component, managerial component, and depends in which category the duties fall under.

James L. Arrington stated all the existing Department Heads were hired by the Madison County Board of Supervisors, and feels the Board must be careful in adopting anything different.

Chairman, Eddie Dean stated the Board can always include a provision to incorporate the Board's reserve to make a change; additionally, he stated there was a time when the Madison County Board of Supervisors was responsible for all hiring, including part-time positions; furthermore, he doesn't feel this is the route the Board needs to take at this time.

In closing, Chairman, Eddie Dean stated he feels the Board should be involved in the hiring/selection process of Department Heads and if a Department Head is hiring staff in a manner that isn't deemed satisfactory, the Board has every right to intervene.

Additionally, Chairman, Eddie Dean feels the situation regarding Department Heads is completely separate from what is being discussed and he feels the position of Department Head falls within the same guidelines as the County Administrator's position (each can be removed at the Board's will).

Lisa Robertson, County Administrator, believes there are some limits in terms of the role that may be required by V. R. Shackelford, III, County Attorney; however, as a general rule, the aforementioned positions are “at the will of the Madison County Board of Supervisors.”

Bob Miller asked for clarification whether the document being voted on tonight will serve as an amendment to the existing personnel policy or serve as a replacement, to which Lisa Robertson, County Administrator, advised tonight’s document will replace the policy currently in place as it was sorely outdated and there were so many changes that needed to be incorporated; therefore, feels the Board needs to adopt the new policy instead.

Bob Miller asked about section 1-4 that applies to “amendment” and how state law governs such amendments.

Lisa Robertson, County Administrator, advised if something is going to change the budget process that will require involvement by the Board, it’s appropriate for the Board to be involved and she will manage any updated provisions to the working/conduct policy; if the grievance policy is amended, it will require Board action as a matter of state law and must be re-certified by the Clerk of the Circuit Court whenever there is a change.

In closing, Lisa Robertson, County Administrator, advised that depending on what the amendment is, the Board might actually have to be consulted; however, the idea of having personnel regulations is to have a consistent set of rules/procedures to govern day-to-day business without having to come back to the Board each time there is a change, although some changes will need to be brought before the Board as a result of certain laws/regulations that are in place (i.e. designation period for family medical leave).

William L. Crigler asked about the amendment incorporated for holiday leave and feels the phrase should state “may” instead of “shall”(Section 4-20.7.1) as the Board should have the final say, to which Lisa Robertson, County Administrator, advised the Board generally follows the guidelines as suggested by the Commonwealth of Virginia and feels listing “unless otherwise noted” would be more suitable rather than to list each

specific holiday as the County needs to have something in wording that is consistent – attached changes to the policy can be denoted as an appendix.

James L. Arrington verbalized concerns regard the allowance for Department Heads to change job titles and duties, which he feels could cause a major financial impact on the County, without the Board's approval.

Lisa Robertson, County Administrator, stated any changes in an employee's duties of an employee doesn't establish a change in their pay – this action can only be accomplished by the Board during the budget process; additionally, the ability to use job titles and reorganize job descriptions just allows the County Administrator and Department Heads to conduct business and to occasionally inform an employee their job is changing and assign different duties accordingly.

In closing, Lisa Robertson, County Administrator, feels this is the best practice in order to attain efficiency in the various departments' day-to-day business.

James L. Arrington asked if a Department Head assigns additional responsibilities to an employee that are grossly outside the normal line of employment and whether this will create an obligation on the part of the County to compensate the employee at the new level, to which Lisa Robertson, County Administrator, advised there can be no new level of pay without Board action – occasionally an employee might be informed their job is changing and additional duties may be required in order to maintain efficiency.

James L. Arrington stated he feels the County should allow equal pay for equal work; if a supervisor assigns additional tasks to an employee, the individual should be entitled to additional compensation.

Lisa Robertson, County Administrator, stated if an employee is asked to work fifty (50) hours instead of thirty-eight (38), the individual must be paid for their time; however, that's an overtime issue – in terms of defining the basic job duties of an employee, there is no 'magic formula' that states "an office clerks makes \$\$\$" or "an office clerk that does "XYZ" in addition to typing automatically get \$\$\$" – positions are defined and each year the position is allowed a certain amount of pay; between July 1<sup>st</sup> and June 30<sup>th</sup> of the following year, the County should have the ability to inform employees that although something isn't in their specific job description, the duties must



be performed; it's not always possible to run your business and have every task denoted in the job description – most descriptions generally have the final phrase, “Other duties as needed...”

Chairman, Eddie Dean stated the hiring/firing of Department Heads will be treated very much the same way as the position of County Administrator (Board's will); he also feels the Board can reserve the initial interviews of Department Head positions onto the County Administrator with results forwarded onto the Board.

Lisa Robertson, County Administrator, stated the aforementioned request could be treated as a “stand alone” Board policy and can be included as an appendix rather than holding up the rest of the policy for the hiring process.

Chairman, Eddie Dean asked V. R. Shackelford, III, County Attorney, if he had an opportunity to review the regulations as presented and whether the County is meeting all requirements.

V. R. Shackelford, III, County Attorney, stated he did review the document and feels that Lisa Robertson, County Administrator, knows more about the requirements entailed; however, he stated the County has been fortunate in that there have really been no grievances.

Lisa Robertson, County Administrator, stated the state code is referenced at the first part of the Grievance policy; for the most part, this portion is typed basically from state law as there aren't many alternatives to these guidelines – steps can be incorporated (but not below a certain number) and this is set up with the minimal number of allowable steps.

James L. Arrington verbalized concerns regarding the policy's wording

After discussion, James L. Arrington motioned to table the adoption of the Proposed Personnel Regulations for Madison County, Virginia.

**\*MOTION DIED DUE TO A LACK OF A SECOND\***

After discussion, on motion of Bob Miller, seconded by Clark Powers, the Board moved to adopt the Proposed Personnel Policy for Madison County with changes denoted by Lisa Robertson, County Administrator, with regard to Section 4-20.1.1 concerning Holiday Leave and will state, “The County shall follow the schedule of

holidays established by the Commonwealth unless otherwise voted by the Madison County Board of Supervisors, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Nay
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

William L. Crigler asked if the aforementioned request pertaining to the Department Heads will be addressed, to which Lisa Robertson, County Administrator, stated she will work on a Department Head selection process and will present the document to the Board for review and discussion.

**IN RE: RAPIDAN SERVICE AUTHORITY (Request to reappoint Steve Hoffman)**

Chairman, Eddie Dean stated the Board has received a request from the Rapidan Service Authority to reappoint Steven S. Hoffman to the Board as one of the representatives for Madison County, Virginia.

V. R. Shackelford, III, County Attorney, advised upon investigation of the expiration term for the aforementioned Board must be June 24, 2013; this requirement dates back to when the Rapidan Service Authority was first established and he proceeded to explain that each participating County has two (2) members and initially, Madison County only had one (1) representative; however, there were changes incorporated to the organization which allowed Madison County to have two (2) members – their terms are from January 1 through December 31 respectively and the other slots were designated to run for four-year terms that must end on June 24 of the respective years. Therefore, although it might be easier for the County to impose a yearly term, the statutes that are established by the Rapidan Service Authority must be adhered to.

Additionally, James L. Arrington had asked if there was anything in the by-laws to denote that one member must be an elected official, to which V. R. Shackelford, III, County Attorney, advised there is no such requirement; however, the representative(s) must be a resident of the County that they represent.

Furthermore, V. R. Shackelford, III, County Attorney, indicated that Orange and Greene County both have a Board member, although the other Counties have citizens who are represented.

William L. Crigler asked if an elected official serves on the RSA Board and their term as an elected official ends before their term on the RSA Board, what will happen.

V. R. Shackelford, III, County Attorney, stated the elected official can continue serving on the RSA Board until completion of the term – being an elected official is not any part of the criteria to be eligible to serve on the RSA Board – the four-year sequence must be maintained regardless.

James L. Arrington asked if the RSA Board meets monthly or bi-monthly, to which V. R. Shackelford, III, County Attorney, stated they meet monthly, but some months they don't meet if they have significant action to take care of – the location rotates between the participating localities.

Chairman, Eddie Dean suggested the Board ask at least one of the representative to attend the Regular Meeting and provide an update on RSA business/actions, which the Board suggested be included in the letter of reappointment that will be forwarded to Dudley Pattie of the Rapidan Service Authority and to Steven S. Hoffman.

James L. Arrington asked if the Board should advertise the vacancy, to which Lisa Robertson, County Administrator, she didn't believe the Board had a standard policy regarding advertising all vacancies for each community organization, with the exception for the Madison County Planning Commission.

Chairman, Eddie Dean stated the Board accepted recommendations for appointees to the Madison County Park & Recreation Authority.

## **RESOLUTION**

Pursuant to Virginia Code Section 15.2-5113 (1950, as amended), it is hereby RESOLVED by the Board of Supervisors of Madison County, Virginia, that the following person is hereby appointed as the Board of Supervisors' representative on the Rapidan Service Authority for a 4-year term expiring as set forth herein, to wit:

### Member

Steven S. Hoffman

### Term Expiration

June 24, 2013

Adopted this 9th day of June, 2009, with an effective beginning term date of July 1, 2009, on motion of James L. Arrington, seconded by William L. Crigler.

Eddie Dean, Chairman  
Madison County Board of Supervisors

	Aye	Nay	Abstain	Absent
Eddie Dean	<u>x</u>	_____	_____	_____
James L. Arrington	<u>x</u>	_____	_____	_____
William L. Crigler	<u>x</u>	_____	_____	_____
Bob Miller	<u>x</u>	_____	_____	_____
Clark Powers	<u>x</u>	_____	_____	_____

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Lisa Robertson  
Madison County Administrator

## **COMMITTEE REPORTS**

### **Main Street Project:**

Chairman, Eddie Dean stated the Main Street Committee didn't meet this month because the Culpeper VDOT representatives did not complete the review of the 'no plan project' for Main Street; a meeting has been scheduled in July 2009.

### **Rappahannock-Rapidan Regional Commission:**

James L. Arrington stated the RRRC will need next week.

### **Rappahannock Juvenile Detention Center:**

James L. Arrington stated the Rappahannock Juvenile Detention Center held an executive meeting yesterday; decisions were made with regard to carryover funds.

### **Thomas Jefferson Criminal Justice Board:**

William L. Crigler stated he was unable to attend the meeting of the Thomas Jefferson Criminal Justice Board due to multiple meetings taking place in conjunction with one another; however, the Board has been working on a process to evaluate jails and determine ways to possibly reduce the inmate population as a means of cutting costs – will also plan to develop a crisis intervention team to assist with training police officers when dealing with various criminal incidents.

### **Skyline CAP:**

William L. Crigler stated he attended the meeting of the Skyline CAP; discussion included a review by the federal government – no report received to date.

**Parks & Recreation:**

William L. Crigler stated the Parks & Recreation Authority didn't meeting during the month.

**Rappahannock River Basin**

William L. Crigler stated a meeting has been scheduled for the Rappahannock River Basin on June 24, 2009.

**IN RE: MINUTES**

Chairman, Eddie Dean advised that Minutes #18, #19, and #20 will need to be approved.

After discussion, on motion of James L. Arrington, seconded by Clark Powers, Minutes #18 are approved as submitted and spread in Minute Book #16, page , through page , with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Abstain
Bob Miller	Abstain
Clark Powers	Aye

After discussion, on motion of William L. Crigler, seconded by Clark Powers, Minutes #19 are approved as amended, and spread in Minute Book #16, page , through page , with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

After discussion, on motion of William L. Crigler, seconded by Clark Powers, Minutes #20 are approved as submitted and spread in Minute Book #16, page , through page , with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Abstain
William L. Crigler	Aye
Bob Miller	Abstain
Clark Powers	Aye

## **OLD BUSINESS/NEW BUSINESS:**

### **Memorial Day Celebration:**

Chairman, Eddie Dean stated that he attended the recent Memorial Day Service and in talking with the representatives in charge of the flags that are displayed, it was noted that two (2) flags disappeared prior to the day of the service. Since these flags are purchased solely through donations, Chairman, Eddie Dean suggested the Madison County Board of Supervisors make a donation of \$350.00 to the American Legion Flag Committee to purchase a stock of flags (in increments of 24) that are displayed along Main Street – these flags have a very distinguished look when they are displayed along Main Street.

After discussion, on motion of Clark Powers, seconded by James L. Arrington, the Board voted to contribute a donation of \$350.00 to the American Legion Flag Committee for the purchase of a stock of flags to be displayed during the annual Memorial Day Celebration, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

### **IN RE: PUBLIC COMMENT**

Chairman, Eddie Dean opened the floor for public comment and there was none.

Clark Powers stated he recently drove to Criglersville and noticed the school facility is deteriorating fast, to which Chairman, Eddie Dean stated the Board will need to discuss the offer that has been presented.

### **IN RE: CLOSED SESSION**

Chairman, Eddie Dean stated the Madison County Board of Supervisors will need to go into Closed Session to discuss concerns regarding the Criglersville Elementary School.

On motion of William L. Crigler, seconded by Bob Miller, the Board voted to go into Closed Session pursuant to Section 2.2-3711 (A) (3), Disposition of Real Property – Criglersville Elementary School, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of William L. Crigler, seconded by James L. Arrington, the Board voted to go back into open session with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

On motion of William L. Crigler, seconded by Bob Miller, the Board took roll call to certify that nothing was discussed which was not authorized by the Code of Virginia and that the following Resolution is adopted with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Eddie Dean	Aye

MOTION: William L. Crigler

RESOLUTION NO: 2009-3

SECOND: Bob Miller

MEETING DATE: June 9, 2009

#### CERTIFICATION OF EXECUTIVE MEETING

WHEREAS, the Madison County Board of Supervisors has convened an executive meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, 2.1-344.1 of the Code of Virginia requires a certification by the Madison County Board of Supervisors that such executive meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the Madison County Board of Supervisors hereby certify that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act were heard, discussed or considered in the executive meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the executive meeting were heard, discussed or considered by the Madison County Board of Supervisors.

#### VOTE

AYES: Eddie Dean, James L. Arrington, William L. Crigler, Bob Miller, Clark Powers

ABSTAIN: None

NAYS: None

(For each nay vote, the substance of the departure from the requirements of the act should be described)

ABSENT DURING VOTE: None

ABSENT DURING MEETING: None

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Clerk/Secretary of the Madison County Board of Supervisors

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

As a result of closed session, on motion of William L. Crigler, seconded by James L. Arrington, the Board voted to notify The Craftsmen Group of the County's decision to decline their offer to purchase the Criglersville Elementary School, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Chairman, Eddie Dean recessed the meeting until 7:30 p.m.

\*\*\*\*\*

**7:30 P.M.: Meeting reconvened with Chairman, Eddie Dean calling the meeting to order and noted that a Quorum was present and all members are present.**

**IN RE: PUBLIC COMMENT**

Chairman, Eddie Dean opened the floor for public comment and there was none.

**IN RE: PUBLIC HEARING (Six-Year Road Improvement Plan)**

Chairman, Eddie Dean stated the Board will discuss the Six-Year Road Improvement Plan for Madison County, Virginia.

Donald Gore, Resident Engineer for the Virginia Department of



Transportation, was present and provided an overview of the existing Six-Year Road Improvement Plan for Madison County, Virginia.

Chairman, Eddie Dean noted receipt of a letter from Gary Jones regarding Woodbrook Subdivision that asked for the roadway to be taken into the State system; \$300,000.00 would be the approximate cost.

Donald Gore, Resident Engineer, stated the only available funding has already been applied to Route 642 (Duet Road).

Lisa Robertson, County Administrator, directed in response to Mr. Jones' correspondence, the county should advise that no funds are currently available.

Chairman, Eddie Dean opened the floor for the Public Hearing – no speakers came forth.

Chairman, Eddie Dean then closed the Public Hearing session on the Six-Year Road Improvement Plan.

## **RESOLUTION**

At a Regular Meeting of the Board of Supervisors of the County of Madison, held at the Madison County Administration Center located at 414 North Main Street, Madison, Virginia, on Tuesday, June 9, 2009 at 7:30 p.m.:

Present were:               Eddie Dean, Chairman  
                                   James L. Arrington, Vice-Chairman  
                                   William L. Crigler, Member  
                                   Bob Miller, Member  
                                   Clark Powers, Member

On motion of James L. Arrington, seconded by William L. Crigler, and carried:

**WHEREAS**, Sections 33.1-23 and 33.1-23.4 of the 1950 Code of Virginia, as amended, provides the opportunity for each County to work with the Virginia Department of Transportation in developing a Secondary Six-Year Road Plan,

**WHEREAS**, this Board has previously agreed to assist in the preparation of this Plan, in accordance with the Virginia Department of Transportation policies and procedures, and participated in a Public Hearing on the proposed Plan (2010 through 2015) on Tuesday, June 9, 2009, after duly advertised so that all citizens of the County

had the opportunity to participate in said hearing and to make comments and recommendations concerning the proposed Plan and Priority List,

**WHEREAS**, Donald Gore, Residency Administrator, Virginia Department of Transportation, appeared before the Board and recommended approval of the Six-Year Plan for Secondary Roads (2010-through 2015) for Madison County,

**NOW, THEREFORE, BE IT RESOLVED** that since said Plan appears to be in the best interests of the Secondary Road System in Madison County and of the citizens residing on the Secondary System, and Secondary Six-Year Plan (2010 through 2015) is hereby approved as presented at the Public Hearing.

A Copy,

Testee:

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Eddie Dean, Chairman  
Madison County Board of Supervisors

	Aye	Nay	Absent	Abstain
Eddie Dean	<u>x</u>	_____	_____	_____
James L. Arrington	<u>x</u>	_____	_____	_____
William L. Crigler	<u>x</u>	_____	_____	_____
Bob Miller	<u>x</u>	_____	_____	_____
Clark Powers	<u>x</u>	_____	_____	_____

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Lisa Robertson, County Administrator

#### **IN RE: VERIZON (CONSTRUCTION OF CELL TOWERS)**

Chairman, Eddie Dean asked V. R. Shackelford, III, County Attorney, if the County can get information from Verizon regarding plans for the construction of cell towers.

V. R. Shackelford, III, County Attorney, advised that Virginia legislation enacted legislation extending approval of SUP's, site plans, etc. to extend periods of validity. Additionally, Verizon has not yet responded to a request for information regarding their status of overall plans for expansion in Madison County, Virginia.

With no further action being required by the Board, on motion of William L. Crigler, seconded by Clark Powers, Chairman, Eddie Dean adjourned the meeting, with the following vote recorded:

Eddie Dean	Aye
James L. Arrington	Aye
William L. Crigler	Aye
Bob Miller	Aye
Clark Powers	Aye

Date: June 10, 2009